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TO: PCT Legal Affairs Division
Petitions

FAX NO. (703) 308-6459
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FROM: James P. Demers
Phone No.: (212) 415-8695

DATE: March 26, 2002

NO. OF PAGES (INCLUDING THIS COVER): 5

REGARDING: Serial No. : 10/019,243
US Application of : Denton et al.
Filed : December 21, 2001
Attorney Docket No. : 2458-4042US3

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26 MAR 2002
Legal staff
International Division

I hereby certify that the attached *Petition Under 37 CFR 1.182*, and this cover sheet, are being transmitted to the U.S. Patent and Trademark Office on the date shown above.


James P. Demers, Reg. No. 34,320

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Docket No. 2458-4042US3

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicants : DENTON, et al. Tech. Group : (TBA)
US Serial No. : ~~60/019,243~~ Examiner : (TBA)
PCT Serial No. : PCT/US00/17540
Filed : December 21, 2001
For : METHODS FOR OBTAINING AND USING HAPLOTYPE DATA

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Petition Under 37 CFR 1.182**To Treat a 35 USC §371 Application as an Application under 35 USC §111**

Commissioner of Patents
Washington, D.C. 20231

Sir:

This is a petition under 37 CFR 1.182 to treat the above-referenced 35 USC §371 application as an application under 35 USC §111. This petition is necessary because more than one application under §371 was filed based upon the above-referenced international PCT application.

Examination of PCT/US00/175440 at the international stage resulted in a finding of non-unity of invention. Applicants elected to prosecute certain of the identified groups of claims simultaneously in five separate US applications, each of which was filed under 35 USC §371, with a preliminary amendment presenting the claims being sought in that application. The above-referenced application is one of the five separately-filed §371 applications. Applicants were subsequently informed by the Patent and Trademark Office that only one §371 application may be filed entering the national stage, and were instructed to maintain one of the applications as a §371 application and file a petition in each of the other applications to have them treated as an application under 35 USC §111 claiming priority to the PCT international application and its parent provisional application. Accordingly, the present petition seeks to have the above-referenced application treated as an application under 35 USC §111, claiming priority of PCT/US00/175440 filed June 26, 2000 and claiming priority of US provisional application 60/141,521 filed June 25, 1999.

Docket No. 2458-4042US3

The Commissioner is hereby authorized to charge the required petition fee of \$130.00 (37 CFR 1.17(h)) to deposit account 13-4500, Order No. 2458-4042US3.

Should this petition be granted, Applicants request that the filing fees submitted in connection with the improper §371 application be applied toward the filing fees associated with a §111 filing of this application.

The Commissioner is hereby authorized to credit any refund, or to charge any additional fees that may be required in granting this petition, including additional filing fees and claim fees, to deposit account 13-4500, Order No. 2458-4042US3.

Two duplicate copies of this sheet are attached.

Respectfully submitted,

MORGAN & FINNEGAN, L.L.P.

Dated: March 26, 2002

By: 

James P. Demers
Registration No. 34,320

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